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Date: October 16, 2002

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Commissioner of Patents
Washington, D.C. 20231

From: Terry LaClair

Subject: Request for Clarification of Office Action
USSN 09/307,044

Client/File: CT-M117 US

Date Sent:	
Time Sent:	
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This transmittal consists of 6 pages, including this cover sheet.

Message:

Please see attached.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert M. Duboc, Jr.; Christopher J. Curtin; William A. Crossland;
Anthony B. Davey; Theodore S. Fahlen

Assignee: Candescant Technologies Corporation and
Candescant Intellectual Property Services, Inc.

Official

Title: DISPLAY WITH ACTIVE CONTRAST ENHANCEMENT

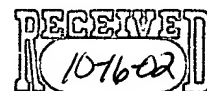
Serial No.: 09/307,044

Filing Date: May 7, 1999

Examiner: U. Anyaso

Group Art Unit: 2775

Docket No.: CT-M117 US



San Jose, California
October 16, 2002

COMMISSIONER FOR PATENTS
Washington, D. C. 20231

REQUEST FOR CLARIFICATION OF OFFICE ACTION

Sir:

Per a 10 October 1002 telephone conversation with the Examiner, this is a request for clarification of the Office Action mailed 22 August 2002 for the above patent application.

The 22 August 2002 Office Action indicates that Claims 1 - 4, 6 - 40, 42, 44, 46, 47, 49 - 52, 54 - 59, 66 - 105, 107 - 145 and 155 - 161 are pending. However, this group of pending claims differs from the claims that should be pending as a result of the 29/30 May 2002 telephonic interview that Applicants' attorney had with the Examiner and the Examiner's supervisor, Steve Saras.

Claims 155 - 161 were added, and Claims 106 and 146 - 154 were canceled, in the 27 March 2002 After-final Amendment which, per the 29/30 May 2002 interview, was not (to be) entered. Instead, the 27 March 2002 Amendment was to be replaced with the 30 May 2002 After-final Amendment in which no claims were added or canceled. Accordingly, the 22 August 2002 Office Action should (a) provide that Claims 1 - 4, 6 - 40, 42, 44, 46, 47, 49 - 52, 54 - 59, and 66 - 154 are pending and (b) not refer to any claims numbered 155 - 161.

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Serial No. 09/307,044

In support of Applicants' attorney's belief that the status of the claims should be as indicated above, enclosed is a copy of (a) a note made by Applicants' attorney in connection with the 29 May 2002 portion of the interview and (b) a note made by Applicants' attorney in connection with the 30 May 2002 portion of the interview. Also, the second sentence of the first paragraph on page 3 of the 30 May 2002 amendment¹ states that "In submitting this amendment, Applicants' attorney notes that the 37 CFR 1.116 Amendment submitted 27 March 2002 for this application has not [emphasis added] been entered".

In short, the 22 August 2002 Office Action should be corrected to indicate that Claims 1 - 4, 6 - 40, 42, 44, 46, 47, 49 - 52, 54 - 59, and 66 - 154 are pending. Inasmuch as the 27 March 2002 amendment was not entered, the revisions made in the 27 March 2002 amendment to the claims should be treated as not having occurred. This includes the changes to Claims 66, 98, 104, 107, and 129, the cancellation of Claim 106, and the addition of Claims 155 - 161. Although the revisions requested to Claims 98 and 104 in the 27 March 2002 amendment are the same as those made in the 30 May 2002 amendment, only the revisions made to Claims 98 and 104 in the 30 May 2002 amendment should be entered.

Please telephone applicants' attorney at 408-453-9200, ext. 1371, if there are any questions.

Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Ronald J. Meitin 10/16/02
Signature Date

Respectfully submitted,

Ronald J. Meitin

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¹ The references in the first and last paragraphs on page 3 of the 30 May 2002 amendment to the interview being on 30 and 31 May 2002 should be respectively corrected to 29 and 30 May 2002.

T/Con 29 May 2002 re CT-M117 US

Participants: Exms Ukolundu Anyasa
" Steve Savas (Anyasa's supervisor.
RTM)

14 Nov 01 Supplemental Amendment was entered.

While Cl. 106 was indicated as being allowable if rewritten in ind. form & while Cl. 66 now constitutes Cl. 106 rewritten in ind. form, exms want to reconsider whether Cl. 66 should be allowed.

Cl. 155 would be allowed subject to incorporating unpolarized light limitation of Cl. 96 into Cl. 155. No need to expressly incorporate further limitation of Cl. 97 into Cl. 155 since that limitation is necessarily present due to wording of Cl. 155.

Exms want to reconsider Cl. 129 for same reasons as Cl. 66 in light of incorporation of further limits of Cl. 106 into Cl. 129.

Exms Savas did not have time to review Cls 139, 141, & 144. Interview to be continued at 1 PM (Msc Post Time) on Thursday, 30 May 2002.

①

30 May 2002

To: File CT-M117 US

On 30 May T/C interview
w/ Exmn Uchendu Anyaso &
his supervisor Steven Savas,
Exmn Savas informed me that
Final Rejection would be
withdrawn & that prosecution
would be re-opened with a
further search leading either
to a Notice of Allowance or a new
rejection.

Exmn Savas felt that
rejection of ind. Cl. 66 based
on Jones et al & Bird et al as given
on 15 Jan. 02 OA was not
warranted. Accordingly,
narrowing of Cl. 66 as presented
on 27 Mar. 02 amend. was
unnecessary. Revisions to Cls.

(2)

were still needed to correct minor inconsistencies.

While Cl. 155 could still be submitted to place Cl. 99 in ind. form, subject to express incorporation of unpolarized light limitation into Cl. 155 as agreed upon in 29 May 2002 interview, this would lead to a drawn redundancy & accordingly was inappropriate.

Final result was that 27 Mar 02 amend would remain unentered, & that I would submit an appropriate new amend.

Rjm